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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,238	02/13/2002	Karl W. Potts	BS01-272	4418

7590 01/26/2005

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EXAMINER	
PHAN, JOSEPH T	
ART UNIT	**PAPER NUMBER**
2645	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/073,238	POTTS ET AL.	
	Examiner	Art Unit	
	Joseph T Phan	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-33 rejected under 35 U.S.C. 102(b) as being anticipated by Kaufman, Patent #6,035,018.

Regarding claim 1, Kaufman teaches a system for providing recorded announcements on a communications network comprising: at least one central terminal for routing communications on the communication network and in communication with the network(14 fig.1); and an announcement service node coupled to the central terminal further comprising a data schema and an application server for accessing the data schema(36 and 38 of Fig.1 and col.4 lines 60-67) , wherein the application server is accessible by one or more central terminals coupled to the communications network and, wherein said data schema comprises a storage mass for storing a plurality of recorded announcements that include information for callers on the communications network(col.4 lines 43-67 and col.5 line 16-col.6 line 10)

wherein a call from an individual is connected to the at least one central terminal with the at least one central terminal receiving an appropriate recorded announcement from the announcement service node so as to audibly convey information to the calling

individual as the recorded announcement is played from the at least one central terminal during the call (col.4 lines 30-37; the central terminal is the user's telephone answering device).

Regarding claim 2, Kaufman teaches a system according to claim 1, wherein said storage mass comprises a relational database (col.5 lines 1-12).

Regarding claim 3, Kaufman teaches a system according to claim 1, wherein at least a portion of said stored recording announcements are in the form of Lightweight Directory Access Protocol(col.5 lines 16-23).

Regarding claim 4, Kaufman teaches a system according to claim 1, further comprising an SS7 network, wherein at least one central terminal initiates queries to said announcement service node via the SS7 network*(col.4 lines 48-67; SS7 is required by telecommunication administrations adopted in 1987 by the International Switching Symposium and AT&T-assignee).*

Regarding claim 5, Kaufman teaches a system according to claim 4, wherein said central terminal comprises a central office of a telephone service network(14 Fig.1).

Regarding claim 6, Kaufman teaches a system according to claim 5, wherein said central office initiates queries to said announcement service node in X.25 protocol(col.4 lines 60-67; X.25 is a well-known design choice protocol).

Regarding claim 7, Kaufman teaches a system according to claim 1, comprising a plurality of central offices of a telephone service provider coupled to the service node of the telephone service provider (fig.1 and col.3 lines 35-45).

Regarding claim 8, Kaufman teaches an application server for accessing a database at a service node in a

communications network comprising;

a plurality of central offices connected to the network (14 Fig.1 and Fig.2 and col.5 lines 55-67); means for accessing the database connected to said network for storing recorded announcements in response to queries from one or more of said plurality of central offices, wherein the recorded announcements include information for users who place calls on the communication network(col.4 lines 60-66 and col.5 lines 55-67); means for storing and dynamically maintaining the recorded announcements stored in the database(col.5 lines 1-22); and

means for providing recorded announcements to at least one central office on the network upon a call from an individual being connected to the central office such that the recorded announcement audibly conveys information to the calling individual as the recorded announcement is played from the central office during the call*(col.4 lines 60-67 and col.5 lines 55-67; the user's telephone answering device is his central office; the term "central office" is interpreted as basically any office where work is performed; a remote Central Office Switch is different).*

Regarding claim 9, Kaufman teaches a server according to claim 8, wherein said database comprises a relational database(col.5 lines 1-12).

Regarding claim 10, Kaufman teaches a server according to claim 8, wherein said database is in the form of Lightweight Directory Access Protocol(col.5 lines 16-23).

Regarding claim 11, Kaufman teaches a server according to claim 9, wherein said relational database is dynamically updateable by an external administrator(col.5 lines 1-12).

Regarding claim 12, Kaufman teaches a server according to claim 8, wherein said means for storing recorded announcements is updateable by an external administrator(col.5 lines 1-12).

Regarding claim 13, Kaufman teaches a server according to claim 8, comprising means for retrieving a caller's file based on a query from a central office of a telephone communication network (col.5 lines 1-12 and lines 39-67).

Regarding claim 14, Kaufman teaches a system for routing files of recorded announcements on a communications network, the system comprising: a switch circuit coupled to the communications network; at least one recorded announcement file coupled to the switch circuit via a trunk network(Fig.1 and Fig.2); a service node for storing recorded announcements, said service node coupled to the switch circuit and accessible by a plurality of switch networks on the communications network, the at least one recorded announcement file including information for users who place calls on the communications network(col.5 lines 1-65);

a plurality of applications coupled to the service node for sending queries to the service node and routing means for providing recorded announcements to one or more users of the communications network in response to the queries from the applications, wherein the recorded announcements audibly convey information to the one or more users as the recorded announcement is played from the switch and through the routing means

during the call(col.5 lines 56-col.6 line 10; application switch is the user's telephone answering device).

Regarding claim 15, Kaufman teaches a system according to claim 14, comprising: at least one database containing a plurality of files related to users of said network, wherein the at least one database is coupled to the service node(Fig.2 and col.5 lines 1-12).

Regarding claim 16, Kaufman teaches a system according to claim 14, wherein said communications network is an Intranet system (Fig.1).

Regarding claim 17, Kaufman teaches a system according to claim 14, wherein said communications network is an Internet system (Fig.2).

Regarding claim 18, Kaufman teaches a system according to claim 14, where said service node comprises means for translating protocol for recorded messages for a switch on the communications network(col.5 lines 16-65).

Regarding claim 19, Kaufman teaches a system according to claim 14, comprising means for matching a user's communication with a trigger on the communications network(col.5 lines 1-67).

Regarding claim 20, Kaufman teaches a system according to claim 19, comprising means for identifying a user's recorded announcement file based at least in part on the matched user's communication (col.5 lines 1-67).

Regarding claims 21, 24, and 25, Kaufman teaches a centralized recorded announcement system, method, and computer-readable medium for providing recorded announcements to devices on a telephone service provider network, the system

comprising: means and steps for triggering a request for a recorded announcement, the recorded announcement including information for users who place calls on the telephone service provider network(col.4 lines 34-39);

means and steps for identifying a requested recorded announcement, retrieving, in response to a request for an announcement from a device, at least one recorded announcement file from a centralized storage mass coupled to the centralized announcement system and the network of said telephone service provider (col.5 lines 1-67);

means and steps for sending a recorded announcement request to a database, means and steps for updating said database based on current recorded announcements of said system; and means and steps for sending an identified recorded announcement from said database to a device of the telephone service provider network(col.4 line 60-col.5 line 67; the database is updated); and

Means for audibly conveying/playing a recorded announcement file from a central office to a customer who has placed a call on the telephone service provider network by playing the message from the device of the telephone service for the customer during the call(col.4 lines 34-39).

Regarding claim 22, Kaufman teaches a centralized recorded announcement system according to claim 21, comprising means for identifying a user of said service provider upon triggering a request for a recorded announcement (col.5 lines 1-67).

Regarding claim 23, Kaufman teaches a centralized recorded announcement system according to claim 22, comprising means for retrieving a recorded announcement file from said database for at least one identified user(col.5 lines 1-67).

Regarding claim 26, Kaufman teaches a method of providing recorded announcements to devices on a network according to claim 25, comprising the steps of identifying a user of said network based on a communication from the user's device on the network; and retrieving at least one recorded announcement for the user based in part on the identification of said user(col.5 lines 1-67).

Regarding claim 27, Kaufman teaches a method of providing recorded announcements to devices on a network according to claim 26, comprising the step of - identifying the user based on Dialed Number Identification Service (DNIS) (col.5 lines 1-67).

Regarding claim 28, Kaufman teaches a method of providing recorded announcements to devices on a network according to claim 26, comprising the step of identifying the user based on a code dialed by said user(col.5 lines 1-67).

Regarding claim 29, Kaufman teaches a method of providing recorded announcements to devices on a network according to claim 26, comprising the step of-. identifying the user based on Automatic Number Identification (ANI) (col.5 lines 1-67).

Regarding claim 30, Kaufman teaches a method of providing recorded announcements to devices on a network according to claim 26, comprising the step of coupling a plurality of queries for recorded announcements to said centralized

announcement service node via an SS7 network(col.4 line 48-col.5 line 67; SS7 is old and well-known).

Regarding claim 31, Kaufman teaches a method of providing recorded announcements to devices on a network according to claim 26, comprising the steps of adding a recorded announcement to said centralized storage mass; and providing a translation to a switch on the network correlating to the added recorded announcement (col.5 lines 1-67).

Regarding claim 32, Kaufman teaches a method of providing recorded announcements to devices on a network according to claim 26, comprising the steps of prioritizing a plurality of queries for recorded announcements from one or more central offices on the network; and providing a plurality of recorded announcements to said one or more central offices on the network(col.5 lines 1-67).

Regarding claim 33, Kaufman teaches a method for providing recorded announcements to users of a telecommunications system, the method comprising: a step for triggering a request for a recorded announcement by initiating a call on said system, the recorded announcement including information for users who place calls on the telecommunications system(col.4 lines 48-59); a step for generating a query for a recorded announcement, the query based at least in part on the recorded announcement request triggered from said user(col.4 line 48-col.5 line 67); a step for sending the query to one or more data storage schemas via a network, the query corresponding to one or more recorded announcement triggers initiated by the call and a step for sending at least one recorded announcement to a user of the system in

response to the query, wherein sending the at least one recorded announcement to the user includes audibly conveying information to the user as the recorded announcement is played from the telecommunications system during the call (col.4 line 48-col.5 line 67).

Response to Arguments

2. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 10/07/2004 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "providing a recorded announcement directly from a remote server connected to a central office" are not recited in the rejected claim(s).

Nor is "providing recorded announcements of a remote service node to a central office switch where it is then played from the central office switch to the calling party" recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 9:00-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTP
January 24, 2005

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